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**From:** [Robert.Hodanbosi@epa.ohio.gov](mailto:Robert.Hodanbosi@epa.ohio.gov) <[Robert.Hodanbosi@epa.ohio.gov](mailto:Robert.Hodanbosi@epa.ohio.gov)>  
**Sent:** Friday, February 07, 2020 10:22 AM  
**To:** Mooney, John <[Mooney.John@epa.gov](mailto:Mooney.John@epa.gov)>  
**Subject:** RE: Question on OAC 3745-15-07

Hello John,

Thank you for your note. We have reviewed our SIP files and concur with your assessment. We have not found any instances of the nuisance rule, OAC 3745-15-07, being relied upon, or intended to be relied upon, for attainment or maintenance of any NAAQS (ozone, particulate matter (TSP,PM10,PM2.5), sulfur dioxide, carbon monoxide, lead, or nitrogen dioxide). This includes SIP planning, nonattainment designations, redesignation requests, maintenance plans, and determination of nonattainment areas or their boundaries.

Please let me know if you have any additional questions.

Bob

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**From:** Mooney, John <[Mooney.John@epa.gov](mailto:Mooney.John@epa.gov)>  
**Sent:** Thursday, January 30, 2020 11:15 AM  
**To:** Hodanbosi, Robert <[Robert.Hodanbosi@epa.ohio.gov](mailto:Robert.Hodanbosi@epa.ohio.gov)>  
**Subject:** Question on OAC 3745-15-07

Hi Bob,

As Region 5 continues to streamline our regulatory processes and review elements of State Implementation Plans, it has come to our attention that the Ohio SIP has the last remaining nuisance provision in Region 5. Similar rules were taken out of other SIPs in the region several years ago because states did not rely on those provisions for attainment and maintenance of the NAAQS.

We have reviewed our files and have not found any instances where Ohio EPA has used OAC 3745-15-07 to meet any of the NAAQS. If possible, could you please confirm that for us? Specifically, has the Ohio EPA ever relied, or intended to rely, on OAC 3745-15-07 for attainment or maintenance of any NAAQS pollutants (ozone, particulate matter, sulfur dioxide, carbon monoxide, lead, or nitrogen dioxide)? This would include: in a state implementation plan, redesignation request, the determination of nonattainment areas or their boundaries, etc...

If you could please let me know, that will help us in deciding on next steps for this part of the Ohio SIP. Please let me know if you have any questions.

Thanks,

John

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